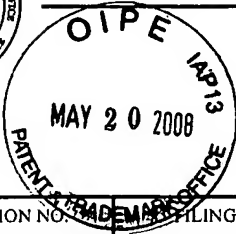




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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/777,237	02/12/2004	Sanika Shirwadkar	852-002 US	4499

7590 04/29/2008

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APT # 358  
IRVINE, CA 92606

EXAMINER	
SENSENG, SHAUN D	

ART UNIT	PAPER NUMBER
4176	

MAIL DATE	DELIVERY MODE
04/29/2008	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/777,237	Applicant(s) SHIRWADKAR ET AL.	
	Examiner Shaun Sensenig	Art Unit 4176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) none is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 February 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                               | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                      | 5) <input type="checkbox"/> Notice of Informal Patent Application                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

## **DETAILED ACTION**

### ***Priority***

1. If applicant desires to claim the benefit of a prior-filed application under 35 U.S.C. 119(e), a specific reference to the prior-filed application in compliance with 37 CFR 1.78(a) must be included in the first sentence(s) of the specification following the title or in an application data sheet. For benefit claims under 35 U.S.C. 120, 121 or 365(c), the reference must include the relationship (i.e., continuation, divisional, or continuation-in-part) of the applications.

### ***Drawings***

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: 600. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action.

### ***Claim Objections***

3. Claims 1-20 are objected to because of the following informalities:

The "a a" (claim 1, line 1) should be --a--, and the term "decision support system" (claim 20) is unclear. It should be preceded by "a", "the" or be pluralized. For further prosecution, it will be assumed that the intended phrase is --a decision support system--.

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

6. Regarding claim 1, the exemplary language (line 3) renders the claim indefinite because it is unclear whether the limitations following the phrase "may be" are part of the claimed invention. See MPEP § 2173.05(d).

7. Regarding claims 1-3, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

8. Regarding claim 2, the phrase "etc." renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

9. Claim 15 recites the limitation "means of visualization" in line 2. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

11. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Mizrahi et al. (US 7,092,821).

12. Mizrahi et al. discloses:

13. (1) A method comprising:

(a) retrieval method for resource information based on location, wherein a a resource may be, but is not limited to a product, a product category, a person, a tourist place, an organization, geographic location or other variations; (column 19, line 60-column 20, line 6 and column 15, lines 10-14)

(b) a virtual social network filter for refining the resource information; (column 4, lines 46-47 and column 52, lines 33-41)

(c) a method for processing and displaying retrieved resource information based on factors such as probability assigned to the resource, whereby a user can make informed location specific decisions; (column 52, lines 33-41)

(d) and a method for creating dynamic location based peer networks to provide resource recommendations and opinions. (Abstract)

(2) A method comprising the resource information is pre-fetched and updated periodically from sources such as Internet web pages, organizations' Web Services, manual entries, etc. (column 23, lines 27-29 and 37-40)

(3) A method comprising numeric probabilities are assigned to the resource information and then periodically updated depending on factors such as resource's availability in the given location. (column 23, lines 27-29 and 37-40)

(4) A method comprising the search results are sorted and displayed based on resource's numeric probability in the given location. (column 2, lines 32-35)

(5) A method comprising the said recommendations may be provided live, or with values stored earlier by other mobile device users which are in user's location based peer network. (column 2, lines 32-35 and column 32, lines 34-36)

(6) A method comprising the said recommendations combine other user's real time recommendations with archived recommendations. (column 2, lines 40-47)

(7) A method comprising some reward may be provided to the user providing live recommendation. The reward is not limited to a point system, virtual currency, virtual credit, actual credit, actual currency or any other similar system. (column 5, lines 23-25 and column 53, lines 28-49)

(8) A method comprising the said recommendations are combined with the probabilities assigned to the resources whereby the user is provided with a sorted set of results with

the first result being most available and popular in the current location, and is based on user's preferences and user specified interests. (column 2, lines 15-20, 32-35, and 59-62)

(9) A method comprising the said recommendation system checks user's privacy preferences before retrieving/providing recommendations from or to a user. (column 52, lines 7-63)

(10) A method comprising the said virtual social network is a virtual network comprising of user, users' trusted acquaintances, users with similar interests and in turn their trusted acquaintances. (Abstract)

(11) A method comprising, based on user's choice, the social network can be formed by the user or can be selected by a computer program so as to reflect the user profile and user's current and archived queries' context. (column 5 lines 33-37)

(12) The method of claim 10, wherein trust is defined as a quantitative value that is an aggregation of user's past interaction experience with that particular acquaintance. (column 52, lines 7-63)

(13) The method of claim 12, wherein user can specify trust to be limited to certain resource categories and certain trust value range. (column 52, lines 7-63)

(14) The method of claim 12, wherein users with high trust level of trust and having high level of expertise on the resource's subject matter are chosen to form the dynamic social network that filters the search results by providing an opinion about the resource. (column 52, lines 7-63)

(15) A method comprising resource images are used to assist users to narrow down results with the means of visualization. (column 27, lines 48-52)

(16) A method comprising the web pages are classified to indicate the opinion expressed by the web page. (column 27, lines 48-52)

(17) A method comprising the opinion is obtained by parsing the web page to establish a correlation between a resource and the opinion expressed. (column 1, lines 40-47)

(18) A method comprising the opinion obtained and the numeric weights assigned to web page classification are recalculated and re-classified based on the social network opinion. (column 23, lines 27-29 and 37-40)

(19) A method comprising the resource is identified as location specific or one with global relevance and then the dynamic peer networks/social networks are formed. (column 28, lines 53-61 and column 29, lines 14-15)

(20) A method comprising both the virtual social network and the dynamic Location based peer group work as decision support system for a particular resource. (column 60, lines 1-7 and column 70, lines 23-27)

***Claim Rejections - 35 USC § 102***

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.



15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shaun Sensenig whose telephone number is (571) 270-5393. The examiner can normally be reached on Monday to Thursday 7:30 to 5:00 ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jerry O'Connor can be reached on (571) 272-6787. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. S./  
Examiner, Art Unit 4176  
April 28, 2008

/Gerald J. O'Connor/  
Supervisory Patent Examiner  
Group Art Unit 4176

<b>Notice of References Cited</b>	Application/Control No. 10/777,237		Applicant(s)/Patent Under Reexamination SHIRWADKAR ET AL.	
	Examiner Shaun Sensenig		Art Unit 4176	Page 1 of 1

**U.S. PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-7,092,821	08-2006	Mizrahi et al.	702/1
	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

**FOREIGN PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

**NON-PATENT DOCUMENTS**

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

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